

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

TERRY LAMAR McCOY

PLAINTIFF

VS.

4:20CV00450-BRW-JJV

JOSEPH GORMAN, *et al.*

DEFENDANTS

ORDER

I have reviewed the Proposed Findings and Recommended Disposition (Doc. No. 12) submitted by United States Magistrate Judge Joe J. Volpe. After carefully considering Mr. McCoy's timely filed objections and making a *de novo* review of the record, I approve and adopt the Proposed Findings and Recommended Disposition all respects.

I note that Mr. McCoy's objections were to the first recommended disposition (which was withdrawn) and not the second. However, both recommended dispositions advised Mr. McCoy that the Jefferson County Sheriff's Department is not subject to suit. He did not dispute this finding in his objections.

Accordingly, Plaintiff's claims against the Jefferson County Sheriff's Department are dismissed without prejudice and the Jefferson County Sheriff's Department is dismissed from this case.

I certify, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any Order adopting these recommendations would not be taken in good faith.

IT IS SO ORDERED, this 28th day of May, 2020.

Billy Roy Wilson
UNITED STATES DISTRICT JUDGE